

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

VICTOR TAGLE,

Plaintiff,

v.

STATE OF NEVADA, et al.,

Defendants.

Case No. 2:15-cv-02143-RFB-CWH

ORDER

The Court now dismisses this action without prejudice on a few grounds.

First, Plaintiff has not served the remaining defendants named in his Fifth Amended Complaint. Plaintiff was warned by the Court (ECF No. 177) that he must serve the defendants but he failed to do so. Moreover, in his response (ECF No. 187) to the Court's warning, Plaintiff effectively abandons the Fifth Amended Complaint, by claiming that it does not exist and that it was the product of some type of illegal conspiracy amongst court clerks and counsel. He asserts that he is filing a new case(s) to properly raise his claims.

Second, the Court had explicitly ordered Plaintiff on September 29, 2017 (ECF No. 110) not to continue to file frivolous motions in this case. Plaintiff has blatantly and repeatedly violated this order. He has filed a series of frivolous and incoherent motions. He has used his motion practice to allege nonsensical and egregious allegations against various court officials and defense counsel. The Court dismisses this action as a sanction for this misconduct and harassing behavior and for not complying with the Court's order. The Court does not find that any other sanction

1 would result in the Plaintiff's compliance.¹ Plaintiff has essentially avoided a decision on the
2 merits of this case by clogging the docket with frivolous motions. The public interest is served by
3 the dismissal of a case such as this one to prevent further court resources being unnecessarily used.

4 **IT IS THEREFORE ORDERED** that this case is dismissed without prejudice. The Clerk
5 of Court shall close this case.

6
7 DATED this 5th day of July, 2018.



8
9 RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

¹ The Court also takes judicial notice of the dozens of cases that Plaintiff has filed. All have eventually been dismissed with several being dismissed for failure to comply with a court's orders. (ECF No. 205-2)